



Office of Public Instruction  
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## **Office for Civil Rights Program Requirements Under Title IX, Title VI, and Section 504**

A local agency, when viewed in its entirety, must be readily accessible to persons with disabilities. All facilities or parts of facilities constructed or remodeled after June 3, 1977 must be readily accessible to and usable by persons with disabilities.

All facilities and programs must be accessible to minorities. Local agencies may not engage in any practice which excludes or discriminates against or stereotypes persons on the basis of race, sex, color, national origin, or handicap. All local agencies must, at the beginning of each academic year, issue an appropriate public announcement which advises the public that its programs are offered without regard to sex, race, color, national origin, or handicap. This public announcement must contain the name, school address, and telephone number of the person(s) designated to coordinate Title IX and Section 504 compliance activities.

If an area from which students are drawn contains a community of persons with limited English language skills, all information must also be communicated in that community's native language.

The local agency shall have procedures to ensure that persons with impaired vision or hearing or limited English-speaking ability could participate in all services, activities, and facilities. No test or criterion can be used for admission to the program if it disproportionately excludes applicants on the basis of sex, race, color, national origin, or handicap, unless the test or criterion has been validated as essential for participation in that particular program. Programs may not discriminate on the basis of English language skills. All prerequisites for admission to a program must be available without regard to sex, color, race, national origin, or handicap.

A local agency/program may not inquire into a student's marital status, race, color, national origin, or handicap prior to admission. A pre-admission inquiry as to sex can be made only if the inquiry is made equally of both sexes and not used in a discriminatory manner. After acceptance for admission, a local agency/program may ask whether a student has a handicap that requires accommodations. The answer must be treated with confidentiality.

Students may not be counseled into or out of programs based upon sex, race, color, national origin, handicap, or English-speaking ability. Counseling must be provided equitably to non or limited English-speaking persons. Students with disabilities may not be counseled toward more restrictive career objectives than similar interest and ability non-handicapped students. A local agency must ensure that counselors can communicate effectively with hearing impaired students.

Academic requirements for participation in or completion of a program may not discriminate on the basis of sex, race, color, national origin, or handicap. Persons with disabilities shall be educated in the least restrictive environment and to the extent possible in the mainstream of the educational process. The local agency must have procedural safeguards regarding the identification, evaluation and educational placement of students with disabilities which include:

1) notice, 2) opportunity to examine relevant records, and 3) an impartial hearing with representation by counsel. A local agency may not treat persons differently based upon parental, family, marital status or pregnancy.

A local agency making available housing opportunities for students, regardless of the method used, must make comparable facilities available to both sexes. These facilities may be separate facilities. All facilities, services, programs and activities provided persons with disabilities shall be comparable to those provided to non-handicapped persons. All facilities for students of one sex must be provided equally to persons of the other sex.

A local agency may not discriminate on the basis of sex, race, color, national origin or handicap in any phase of cooperative vocational education, work study, apprenticeship training and job placement.

A local agency may not engage in any employment practice which tends to segregate, exclude, or unlawfully discriminate against persons on the basis of race, color, national origin, sex, or handicap.

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